

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

NEXTGEAR CAPITAL, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 18-cv-01086-NCC
)	
BANK OF SPRINGFIELD,)	
)	
Defendant.)	

**CONSENT MOTION FOR EXTENSION OF TIME TO RESPOND
TO DEFENDANT’S MOTION TO DISMISS SECOND AMENDED COMPLAINT**

COMES NOW Plaintiff NextGear Capital, Inc. (“Plaintiff”), and with the consent of Defendant Bank of Springfield (“Defendant”), by and through its undersigned attorneys, and respectfully requests an extension of time to respond to Defendant’s Motion to Dismiss Second Amended Complaint. In support of the request, Plaintiff states as follows:

PARTIES

1. On December 27, 2018, this Court granted Plaintiff’s Motion for Leave to File Second Amended Complaint in the above captioned matter.
2. On January 11, 2019, Defendant filed a Motion to Dismiss Plaintiff’s Second Amended Complaint.
3. The Plaintiff’s deadline to file a responsive pleading is currently January 17, 2019.
4. In order to research and properly prepare a responsive pleading, counsel for Plaintiff requires additional time.

5. Plaintiff requests seven (7) additional days up to and including January 24, 2019, in which to file a responsive pleading to Defendant's Motion to Dismiss Second Amended Complaint.

6. Defendant's counsel has consented to Plaintiff's request for an extension of time.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order granting Plaintiff seven (7) additional days up to and including January 24, 2019, in which to file a responsive pleading to Defendant's Motion to Dismiss Second Amended Complaint and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

CARMODY MACDONALD P.C.

By: /s/ Spencer P. Desai
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Attorneys for Plaintiff NextGear Capital, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that a true and complete copy of the foregoing was served on the 17th day of January 2019 via the Court's ECF system upon all counsel of record.

/s/ Spencer P. Desai